

FISCAL NOTE

SB 2722 - HB 2760

March 23, 2006

SUMMARY OF BILL: Requires any person or employee of such person who contracts or subcontracts with a board of education or child care program and who comes into contact with school children or enters the grounds of a school or child care program when children are present to supply a fingerprint sample and submit to a criminal history records check. Creates a Class A misdemeanor offense for violation punishable by fine only.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures – Not Significant/TBI

Increase State Revenues – Not Significant/TBI

Increase Local Govt. Expenditures – Not Significant/Permissive

Increase Local Govt. Revenues – Not Significant

Assumptions:

- Increased state expenditures (increased costs to TBI for performing additional background checks) will be offset by increased state revenues paid either by those persons about which background checks are conducted or by LEAs or child care programs. If local boards of education choose to reimburse or pay initially for such background checks, local expenditures would increase. However, such increase in state and local government expenditures and revenues is estimated to be not significant.
- The cost of such TBI background check is approximately \$29.00.
- The fine for a violation of this offense would range from at least \$500 up to \$2,500. The proceeds from any such fine imposed would be transmitted to the county clerk for deposit in a special account for use by the LEA in which the offense occurred for child safety purposes. However, there will not be a sufficient number of prosecutions for local governments to experience any significant increase in revenues or expenses.
- Section 4 and Section 5 of the bill are in conflict with federal law. Federal law does not allow the applicant to receive a copy of the results of the background check and dissemination of the results may only go to the governmental agencies that are authorized to receive the information. Third party dissemination is prohibited.

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CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is written in a cursive style with a large, stylized initial "J" and a distinct "W".

James W. White, Executive Director